

### REMARKS

Claims 11-16 were pending. All pending claims were rejected in the Final Rejection. In view of the foregoing amendment and arguments that follow, Applicants respectfully request withdrawal of the rejections upon reconsideration.

Preliminarily, Applicants note with appreciation the withdrawal of all previous rejections.

#### **Rejections under 35 U.S.C. § 102(b)**

Claims 11-14 were rejected under 35 U.S.C. § 102(b) as allegedly anticipated by Zapata<sup>a</sup> et al (FASEB J. 1995. 9:A1479). Applicants traverse this rejection.

Claim 11 has been amended to recite that the polymer has an average molecular weight of from about 25,000 Da to about 40,000 Da. Support for this amendment can be found, *inter alia*, on page 6, line 36, through page 7, line 1, of the application as filed. Zapata<sup>a</sup> et al does not disclose or suggest polymers of from about 25,000 Da to about 40,000 Da.

Applicants request that this rejection be withdrawn.

#### **Rejections Under 35 U.S.C. § 103(a)**

Claims 11-16 were rejected under 35 U.S.C. § 103(a) as allegedly obvious over Zapata<sup>a</sup> et al further in view of Zapata<sup>b</sup> et al (U.S. Patent No. 6,214,984). Applicants traverse this rejection.

As discussed above, Claim 11 has been amended to recite that the polymer has an average molecular weight of from about 25,000 to about 40,000. Zapata<sup>a</sup> et al does not disclose or suggest polymers of from about 25,000 to about 40,000 molecular weight. Zapata<sup>b</sup> et al does not overcome this deficiency.

Applicants request that this rejection be withdrawn.

Claims 11-16 were rejected under 35 U.S.C. § 103(a) as allegedly obvious over Jacobs et al (U.S. Patent No. 5,863,723) further in view of Bodmer et al (WO 89/01974). As discussed above, Claim 11 has been amended to recite that the polymer has an average molecular weight of from about 25,000 to about 40,000. Neither Jacobs et al nor Bodmer et al disclose a polymer of this molecular weight.

Furthermore, Bodmer et al and the present application were both owned by, or subject to assignment to, the same entity at the time the invention the subject of the present application was made. Thus, Bodmer et al is not an appropriate reference.

Applicants request that this rejection be withdrawn.

**CONCLUSION**

Applicants submit that all claims are in condition for allowance, and respectfully requests early notification of the same. If the Examiner disagrees, he is requested to contact the undersigned at the number provided below.

Respectfully submitted,

/Doreen Yatko Trujillo/

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